

BEFORE THE FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, DC 20554

IN THE MATTER OF:)
) CC Docket 02-6
EUGENE SCHOOL DISTRICT 4J)

Request for Review

| | |
|------------------------------|---|
| Billed Entity Name: | Eugene School District 4J 200 North Monroe St Eugene, OR 97402 |
| Billed Entity Number: | 144981 |
| Form 471 Application Number: | 454342 |
| Form 486 Application Number: | 337499 |
| Funding Request Numbers(s): | 1312266, 1312529, 1312593, 1312627, 1312684, 1312755, 1312793, 1312837, 1312880, 1313035, 1313274, 1313306, 1313348 |
| Contact: | Les Moore |
| Phone: | 541.687.3549 |
| Fax: | 541.334.4830 |
| Email: | moore@4j.lane.edu |

Summary:

Eugene School District 4J respectfully requests the Federal Communications Commission (FCC) review and amend the funding denial decision of the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC). The Eugene School District 4J specifically appeals the September 6, 2006 funding denial of 471 application 454342 with the pre-discount amount of \$351,111.60. See Exhibit 1: Funding Commitment Decision Letters for Form 471 application 454342 FRN(s) – listed above.

Chronology of dates

07/01/2005 Service Start Date (SSD) for the requested services
11/16/2005 Funding Commitment Decision Letter (FCDL)
03/17/2006 Last date to file Form 486 (120 days after FCDL)
04/20/2006 Date Form 486 was filed (34 days late)
05/10/2006 Form 486 Notification Letter
05/25/2006 Filed Appeal with USAC
09/06/2006 Administrator's Decision on Appeal – Fund Year 2005-2006

- continued on next page -

There is no question that we were 34 days late in filing Form 486. The USAC decision was to move our Service Start Date (SSD) by 174 days to December 21, 2005. See Exhibit 2: Administrator's Decision on Appeal – Funding Year 2005-2006. This ruling penalizes us 174 days rather than the 34 days that we were late in filing Form 486.

The Eugene School District 4J is therefore requesting a ruling that will move our Service Start Date by 34 days to August 4, 2005.



Universal Service Administrative Company
Schools & Libraries Division

FUNDING COMMITMENT DECISION LETTER
(Funding Year 2005: 07/01/2005 - 06/30/2006)

November 16, 2005

Leah Demarce
EUGENE SCHOOL DISTRICT 4 J
200 N MONROE ST
EUGENE, OR 97402-4243

Re: Form 471 Application Number: 454342
Funding Year 2005: 07/01/2005 - 06/30/2006
Billed Entity Number: 144981
Billed Entity FCC RN:
Applicant's Form Identifier: EUG SD YR

Thank you for your Funding Year 2005 E-rate application and for any assistance you provided throughout our review. Here is the current status of the funding request(s) featured in the Funding Commitment Report at the end of this letter.

- The amount, \$193,111.37 is "Approved."
- The amount, \$20,460.00 is "Denied."

Please refer to the Funding Commitment Report on the page following this letter for specific funding request decisions and explanations.

The Important Reminders and Deadlines immediately preceding this letter are provided to assist you throughout the application process.

NEXT STEPS

- Work with your service provider to determine if you will receive discounted bills or if you will request reimbursement from USAC after paying your bills in full
- Review technology planning approval requirements
- Review CIPA Requirements
- File Form 486
- Invoice the SLD using the Form 474 (service provider) or Form 472 (Billed Entity) - as products and services are being delivered and billed

FUNDING COMMITMENT REPORT

On the pages following this letter, we have provided a Funding Commitment Report for the Form 471 application cited above. The enclosed report includes a list of the Funding Request Number(s) (FRNs) from your application. The SLD is also sending this information to your service provider(s) so preparations can be made to begin implementing your E-rate discount(s) after you file your Form 486. Immediately preceding the Funding Commitment Report, you will find a guide that provides a definition for each line of the Report.

TO APPEAL THIS DECISION:

If you wish to appeal a decision in this letter, your appeal must be received by the SLD or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and (if available) e-mail address for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Include the following to identify the letter and the decision you are appealing:
 - Appellant name,

- Applicant name and service provider name, if different from appellant,
 - Applicant BEN and service provider SPIN,
 - Form 471 Application Number as assigned by the SLD,
 - "Funding Commitment Decision Letter for Funding Year 2005," AND
 - The exact text or the decision that you are appealing.
3. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep a copy of your entire appeal, including any correspondence and documentation.
 4. If you are the applicant, please provide a copy of your appeal to the service provider(s) affected by the SLD's decision. If you are the service provider, please provide a copy of your appeal to the applicant(s) affected by the SLD's decision.
 5. Provide an authorized signature on your letter of appeal.

To submit your appeal to the SLD by e-mail, use the "Submit a Question" feature on our web site at www.sl.universalservice.org. Click "Continue," choose "Appeals" from the Topics Inquiry on the lower portion of your screen, and click "Go" to begin your appeal submission. The system will prompt you through the process. The SLD will automatically reply to incoming e-mails to confirm receipt.

To submit your appeal to the SLD by fax, fax your appeal to (973) 599-6542.

To submit your appeal to the SLD on paper, send your appeal to:

Letter of Appeal
 Schools and Libraries Division
 Box 125 - Correspondence Unit
 80 South Jefferson Road
 Whippany, NJ 07981

While we encourage you to resolve your appeal with the SLD first, you have the option of filing an appeal directly with the Federal Communications Commission (FCC). You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received by the FCC or postmarked within 60 days of the above date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. We strongly recommend that you use either the electronic filing options described in the "Appeals Procedure" posted in the Reference Area of our web site. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554.

NOTICE ON RULES AND FUNDS AVAILABILITY

Applicants' receipt of funding commitments is contingent on their compliance with all statutory, regulatory, and procedural requirements of the Schools and Libraries Universal Service Support Mechanism. Applicants who have received funding commitments continue to be subject to audits and other reviews that the Universal Service Administrative Company (USAC) and/or the FCC may undertake periodically to assure that funds that have been committed are being used in accordance with all such requirements. The SLD may be required to reduce or cancel funding commitments that were not issued in accordance with such requirements, whether due to action or inaction, including but not limited to that by the SLD, the applicant, or the service provider. The SLD, and other appropriate authorities (including but not limited to USAC and the FCC), may pursue enforcement actions and other means of recourse to collect improperly disbursed funds. The timing of payment of invoices may also be affected by the availability of funds based on the amount of funds collected from contributing telecommunications companies.

Schools and Libraries Division
 Universal Service Administrative Company

A GUIDE TO THE FUNDING COMMITMENT REPORT

A report for each E-rate funding request from your application is attached to this letter. We are providing the following definitions for the items in that report.

FORM 471 APPLICATION NUMBER: The unique identifier assigned to a Form 471 application by the SLD.

FUNDING REQUEST NUMBER (ERN): A Funding Request Number is assigned by the SLD to each Block 5 of your Form 471. This number is used to report to applicants and service providers the status of individual funding requests submitted on a Form 471.

FUNDING STATUS: Each ERN will have one of the following definitions:

1. An ERN that is "Funded" is approved at the level that the SLD determined is appropriate for this ERN. The funding level will generally be the level requested unless the SLD determines during the application review process that some adjustment is appropriate.
2. An ERN that is "Not Funded" is one for which no funds were committed. The reason for the decision will be briefly explained in the "Funding Commitment Decision Explanation." An ERN may be "Not Funded" because the request does not comply with program rules, or because the total amount of funding available for this Funding Year was insufficient to fund all requests.
3. An ERN that is "As Yet Unfunded" reflects a temporary status that is assigned to an ERN when the SLD is uncertain at the time the letter is generated whether there will be sufficient funds to make commitments for requests for Internal Connections at a particular discount level. For example, if your application included requests for discounts on both Telecommunications Services and Internal Connections, you might receive a letter with funding commitments for your Telecommunications Services funding requests and a message that your Internal Connections requests are "As Yet Unfunded." You would receive one or more subsequent letters regarding the funding decision on your Internal Connections requests.

CATEGORY OF SERVICE: The type of service ordered from the service provider, as shown on your Form 471.

FORM 470 APPLICATION NUMBER: The Form 470 Application Number associated with this ERN from Block 5, Item 12 of the Form 471.

SPIN (Service Provider Identification Number): A unique number assigned by the Universal Service Administrative Company to service providers seeking payment from the Universal Service Fund for participating in the universal service support mechanisms. A SPIN is also used to verify delivery of services and to arrange for payment.

SERVICE PROVIDER NAME: The legal name of the service provider.

CONTRACT NUMBER: The number of the contract between the eligible party and the service provider. This will be present only if a contract number was provided on your Form 471.

BILLING ACCOUNT NUMBER: The account number that your service provider has established with you for billing purposes. This will be present only if a Billing Account Number was provided on your Form 471.

SERVICE START DATE: The Service Start Date for this ERN from Block 5, Item 19 of your Form 471.

CONTRACT EXPIRATION DATE: The Contract Expiration Date for this ERN from Block 5, Item 20b of your Form 471. This will be present only if a contract expiration date was provided on your Form 471.

SITE IDENTIFIER: The Entity Number listed in Form 471, Block 5, Item 22a. This will be present only for "site specific" ERNs.

NUMBER OF MONTHS RECURRING SERVICE PROVIDED IN FUNDING YEAR: The number of months of service that has been approved in the funding year. This will be present only for recurring services.

ANNUAL PRE-DISCOUNT AMOUNT FOR ELIGIBLE RECURRING CHARGES: Eligible monthly pre-discount amount approved for recurring charges multiplied by number of months of recurring service approved for the funding year.

ANNUAL PRE-DISCOUNT AMOUNT FOR ELIGIBLE NON-RECURRING CHARGES: Annual eligible non-recurring charges approved for the funding year.

PRE-DISCOUNT AMOUNT: Amount in Form 471, Block 5, Item 23I, as determined through the application review process.

DISCOUNT PERCENTAGE APPROVED BY THE SLD: The discount rate that the SLD has approved for this service.

FUNDING COMMITMENT DECISION: This represents the total amount of funding that the SLD has reserved to reimburse your service provider for the approved discounts for this service for this funding year. It is important that you and your service provider both recognize that the SLD should be invoiced and the SLD may direct disbursement of discounts only for eligible, approved services actually rendered.

FUNDING COMMITMENT DECISION EXPLANATION: This entry provides an explanation of the amount in the "Funding Commitment Decision."

FCDL DATE: The date of this Funding Commitment Decision Letter (FCDL).

WAVE NUMBER: The wave number assigned to FCDLs issued on this date.

FUNDING COMMITMENT REPORT
Billed Entity Name: EUGENE SCHOOL DISTRICT 4 J
BEN: 144981
Funding Year: 2005

Form 471 Application Number: 454342
Funding Request Number: 1312150
Funding Status: Not Funded
Category of Service: Internet Access
Form 470 Application Number: 196460000
SPIN: 143025258
Service Provider Name: Cogent Communications, Inc. dba PSINet, Inc.
Contract Number: 04-12
Billing Account Number: EUGENESC00001
Service Start Date: 07/01/2005
Contract Expiration Date: 06/30/2006
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$37,200.00
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$37,200.00
Discount Percentage Approved by the SLD: N/A
Funding Commitment Decision: \$0.00 - Contract Violation
Funding Commitment Decision Explanation: No contract was in place when the Form 471 certification was filed.

ECDL Date: 11/16/2005
Wave Number: 021

Funding Request Number: 1312266
Funding Status: Funded
Category of Service: Telecommunications Service
Form 470 Application Number: 196460000
SPIN: 143005231
Service Provider Name: Qwest Corporation
Contract Number: T
Billing Account Number: 541-334-4799
Service Start Date: 07/01/2005
Contract Expiration Date: 06/30/2006
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$172,394.28
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$172,394.28
Discount Percentage Approved by the SLD: 55%
Funding Commitment Decision: \$94,816.85 - FRN approved; modified by SLD
Funding Commitment Decision Explanation: The dollars requested were reduced to remove: one-time charges outside of the funding year and Additional listings charges.

ECDL Date: 11/16/2005
Wave Number: 021

FUNDING COMMITMENT REPORT
Billed Entity Name: EUGENE SCHOOL DISTRICT 4 J
BEN: 144981
Funding Year: 2005

Form 471 Application Number: 454342
Funding Request Number: 1312529
Funding Status: Funded
Category of Service: Telecommunications Service
Form 470 Application Number: 196460000
SPIN: 143005231
Service Provider Name: Qwest Corporation
Contract Number: T
Billing Account Number: 503-T32-6344
Service Start Date: 07/01/2005
Contract Expiration Date: 06/30/2006
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$7,800.72
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$7,800.72
Discount Percentage Approved by the SLD: 55%
Funding Commitment Decision: \$4,290.40 - FRN approved as submitted

FCDL Date: 11/16/2005
Wave Number: 021

Funding Request Number: 1312593
Funding Status: Funded
Category of Service: Telecommunications Service
Form 470 Application Number: 196460000
SPIN: 143005231
Service Provider Name: Qwest Corporation
Contract Number: T
Billing Account Number: 503-T32-4534
Service Start Date: 07/01/2005
Contract Expiration Date: 06/30/2006
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$7,800.72
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$7,800.72
Discount Percentage Approved by the SLD: 55%
Funding Commitment Decision: \$4,290.40 - FRN approved as submitted

FCDL Date: 11/16/2005
Wave Number: 021

FUNDING COMMITMENT REPORT
Billed Entity Name: EUGENE SCHOOL DISTRICT 4 J
BEN: 144981
Funding Year: 2005

Form 471 Application Number: 454342
Funding Request Number: 1312627
Funding Status: Funded
Category of Service: Internet Access
Form 470 Application Number: 196460000
SPIN: 143005231
Service Provider Name: Qwest Corporation
Contract Number:
Billing Account Number: 503-Z19-0380
Service Start Date: 07/01/2005
Contract Expiration Date: 06/30/2006
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$108,146.88
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$108,146.88
Discount Percentage Approved by the SLD: 55%
Funding Commitment Decision: \$59,480.78 - FRN approved as submitted

FCDL Date: 11/16/2005
Wave Number: 021

Funding Request Number: 1312684
Funding Status: Funded
Category of Service: Internet Access
Form 470 Application Number: 196460000
SPIN: 143005231
Service Provider Name: Qwest Corporation
Contract Number: T
Billing Account Number: 503-T61-2557
Service Start Date: 07/01/2005
Contract Expiration Date: 06/30/2006
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$8,990.28
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$8,990.28
Discount Percentage Approved by the SLD: 55%
Funding Commitment Decision: \$4,944.65 - FRN approved as submitted

FCDL Date: 11/16/2005
Wave Number: 021

FUNDING COMMITMENT REPORT
Billed Entity Name: EUGENE SCHOOL DISTRICT 4 J
BEN: 144981
Funding Year: 2005

Form 471 Application Number: 454342
Funding Request Number: 1312755
Funding Status: Funded
Category of Service: Telecommunications Service
Form 470 Application Number: 196460000
SPIN: 143005231
Service Provider Name: Qwest Corporation
Contract Number: T
Billing Account Number: 503-Z02-0447
Service Start Date: 07/01/2005
Contract Expiration Date: 06/30/2006
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$14,090.04
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$14,090.04
Discount Percentage Approved by the SLD: 55%
Funding Commitment Decision: \$7,749.52 - FRN approved as submitted

FCDL Date: 11/16/2005
Wave Number: 021

Funding Request Number: 1312793
Funding Status: Funded
Category of Service: Telecommunications Service
Form 470 Application Number: 196460000
SPIN: 143005231
Service Provider Name: Qwest Corporation
Contract Number: T
Billing Account Number: 541-689-0370
Service Start Date: 07/01/2005
Contract Expiration Date: 06/30/2006
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$479.88
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$479.88
Discount Percentage Approved by the SLD: 55%
Funding Commitment Decision: \$263.93 - FRN approved as submitted

FCDL Date: 11/16/2005
Wave Number: 021

FUNDING COMMITMENT REPORT
Billed Entity Name: EUGENE SCHOOL DISTRICT 4 J
BEN: 144981
Funding Year: 2005

Form 471 Application Number: 454342
Funding Request Number: 1312837
Funding Status: Funded
Category of Service: Internet Access
Form 470 Application Number: 196460000
SPIN: 143005231
Service Provider Name: Qwest Corporation
Contract Number: T
Billing Account Number: 503-T61-2777
Service Start Date: 07/01/2005
Contract Expiration Date: 06/30/2006
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$1,596.00
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$1,596.00
Discount Percentage Approved by the SLD: 55%
Funding Commitment Decision: \$877.80 - ERN approved as submitted

FCDL Date: 11/16/2005
Wave Number: 021

Funding Request Number: 1312880
Funding Status: Funded
Category of Service: Internet Access
Form 470 Application Number: 196460000
SPIN: 143005231
Service Provider Name: Qwest Corporation
Contract Number: T
Billing Account Number: 503-T32-5680
Service Start Date: 07/01/2005
Contract Expiration Date: 06/30/2006
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$2,645.64
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$2,645.64
Discount Percentage Approved by the SLD: 55%
Funding Commitment Decision: \$1,455.10 - ERN approved as submitted

FCDL Date: 11/16/2005
Wave Number: 021

FUNDING COMMITMENT REPORT
Billed Entity Name: EUGENE SCHOOL DISTRICT 4 J
BEN: 144981
Funding Year: 2005

Form 471 Application Number: 454342
Funding Request Number: 1313035
Funding Status: Funded
Category of Service: Internet Access
Form 470 Application Number: 196460000
SPIN: 143005231
Service Provider Name: Qwest Corporation
Contract Number: T
Billing Account Number: 503-202-0334
Service Start Date: 07/01/2005
Contract Expiration Date: 06/30/2006
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$4,920.72
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$4,920.72
Discount Percentage Approved by the SLD: 55%
Funding Commitment Decision: \$2,706.40 - FRN approved as submitted

FCDL Date: 11/16/2005
Wave Number: 021

Funding Request Number: 1313136
Funding Status: Not Funded
Category of Service: Telecommunications Service
Form 470 Application Number: 196460000
SPIN: 143005231
Service Provider Name: Qwest Corporation
Contract Number: T
Billing Account Number: 503-T11-0355
Service Start Date: 07/01/2005
Contract Expiration Date: 06/30/2006
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$1,913.04
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$1,913.04
Discount Percentage Approved by the SLD: N/A
Funding Commitment Decision: \$0.00 - Applicant request
Funding Commitment Decision Explanation: FRN canceled in consultation with the applicant.

FCDL Date: 11/16/2005
Wave Number: 021

FUNDING COMMITMENT REPORT
Billed Entity Name: EUGENE SCHOOL DISTRICT 4 J
BEN: 144981
Funding Year: 2005

Form 471 Application Number: 454342
Funding Request Number: 1313274
Funding Status: Funded
Category of Service: Internet Access
Form 470 Application Number: 196460000
SPIN: 143025761
Service Provider Name: Eugene Water and Electric Board
Contract Number: MTM
Billing Account Number: N/A
Service Start Date: 07/01/2005
Contract Expiration Date: 06/30/2006
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$12,888.00
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$12,888.00
Discount Percentage Approved by the SLD: 55%
Funding Commitment Decision: \$7,088.40 - FRN approved as submitted

FCDL Date: 11/16/2005
Wave Number: 021

Funding Request Number: 1313306
Funding Status: Funded
Category of Service: Telecommunications Service
Form 470 Application Number: 196460000
SPIN: 143024165
Service Provider Name: AT&T Wireless
Contract Number: T
Billing Account Number: 40065781
Service Start Date: 07/01/2005
Contract Expiration Date: 06/30/2006
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$3,960.00
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$3,960.00
Discount Percentage Approved by the SLD: 55%
Funding Commitment Decision: \$2,178.00 - FRN approved; modified by SLD
Funding Commitment Decision Explanation: The estimated one-time and/or monthly charge was changed to reflect the documentation provided by the applicant.

FCDL Date: 11/16/2005
Wave Number: 021

FUNDING COMMITMENT REPORT
Billed Entity Name: EUGENE SCHOOL DISTRICT 4 J
BEN: 144981
Funding Year: 2005

Form 471 Application Number: 454342
Funding Request Number: 1313348
Funding Status: Funded
Category of Service: Telecommunications Service
Form 470 Application Number: 196460000
SPIN: 143015994
Service Provider Name: Advanced TelCom, Inc
Contract Number: MTM
Billing Account Number: N/A
Service Start Date: 07/01/2005
Contract Expiration Date: 06/30/2006
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$5,398.44
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$5,398.44
Discount Percentage Approved by the SLD: 55%
Funding Commitment Decision: \$2,969.14 - FRN approved; modified by SLD
Funding Commitment Decision Explanation: The dollars requested were reduced to
remove: ineligible and closed locations.
FCDL Date: 11/16/2005
Wave Number: 021



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal – Funding Year 2005-2006

September 06, 2006

Les Moore
Eugene School District 4 J
200 North Monroe Street
Eugene, OR 97402-4243

Re: Applicant Name: EUGENE SCHOOL DISTRICT 4 J
Billed Entity Number: 144981
Form 471 Application Number: 454342
Form 486 Application Number: 337499
Funding Request Number(s): 1312266, 1312529, 1312593, 1312627, 1312684,
1312755, 1312793, 1312837, 1312880, 1313035,
1313274, 1313306, 1313348

Your Correspondence Received: May 25, 2006

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of USAC's Funding Year 2005 Form 486 Notification Letter for the Application Number indicated above. This letter explains the basis of USAC's decision. The date of this letter begins the 60 day time period for appealing this decision to the Federal Communications Commission (FCC). If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 1312266, 1312529, 1312593, 1312627, 1312684,
1312755, 1312793, 1312837, 1312880, 1313035,
1313274, 1313306, 1313348

Decision on Appeal: **Denied**

Explanation:

- Upon thorough review of the appeal letter and relevant documentation, USAC has determined that the Form 486 for these funding request(s) was not filed within 120 days calculated from the date of the Funding Commitment Decision Letter (FCDL) or the Service Start Date (SSD), whichever date is later. The record shows that the date of the FCDL is November 16, 2005 and that the SSD indicated on the Form 486 was July 1, 2005. The Form 486 application was postmarked on April 19, 2006 and the certification was postmarked on April 20,

2006. Since the Form 486 certification was postmarked more than 120 days after the date of the FCDL, the SSD has been revised to the date 120 days before the Form 486 certification postmark date, which is December 21, 2005. The funding commitment has been reduced accordingly. See FY2005 Funding Commitment Decision Letter, and Universal Service for Schools and Libraries, Receipt of Service Confirmation Form, OMB 3060-0853, Instructions at 6. It is the responsibility of the applicant to ensure that all forms are submitted to USAC in a correct and timely manner. As a result, the appeal is denied.

If your appeal has been approved, but funding has been reduced or denied, you may appeal these decisions to either USAC or the FCC. For appeals that have been denied in full, partially approved, dismissed, or canceled, you may file an appeal with the FCC. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD section of the USAC website or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company